



Jim Justice
Governor of West Virginia

December 12, 2018

Loree Stark
ACLU of WV Foundation
PO Box 3952
Charleston, WV 25339-3952

Dear Ms. Stark,

The Office of the Governor received your letter dated December 3, 2018 on December 6, 2018, in which you requested, pursuant to the Freedom of Information Act ("FOIA"), W. Va. Code § 29B-1-1, *et seq.*, access to and copies of the following records:

[A]ny and all correspondence relating to the November 19, 2018 incident in Martinsburg involving Trooper Derek Walker and Trooper Michael Kennedy and any other members of law enforcement and a 16-year-old male.

Any and all video (including, but not limited to dashcam video) received and/or reviewed by any person or employee at the Governor's office relating to the November 19, 2018 incident in Martinsburg involving Trooper Derek Walker and Trooper Michael Kennedy and any other members of law enforcement and a 16-year-old male.

Any and all documents received and/or reviewed by any person or employee at the Governor's Office relating to the November 19, 2018 incident in Martinsburg involving Trooper Derek Walker and Trooper Michael Kennedy and a 16-year-old male.

Please be advised that we have not located any records in the Office of the Governor that are responsive to your request. Accordingly, your request is denied and our responsibilities in connection therewith are at an end. You are further advised you have the opportunity to institute proceedings for injunctive or declaratory relief in the Circuit Court of Kanawha County, West Virginia.

Sincerely,

A handwritten signature in blue ink, appearing to read "Ashley Summitt", is written over the typed name.

Ashley Summitt
Deputy General Counsel